



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

230 SOUTH DEARBORN ST.

CHICAGO, ILLINOIS 60604

REPLY TO THE ATTENTION OF:

5HE-12

Certified mail
Return Receipt Requested

EPA Region 5 Records Ctr.



273615

City of Bronson
141 South Matteson Street
Bronson, Michigan 49028

Re: North Bronson Industrial Area
Bronson, Michigan

Dear Sir or Madam:

The United States Environmental Protection Agency (EPA) has documented the release or threatened release of hazardous substances, pollutants and contaminants at the above-referenced site, and is planning to spend public funds to control and investigate these releases. This action will be taken by EPA pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), 42 U.S.C. §9601 et seq., unless EPA determines that such action will be done properly by a responsible party. Responsible parties under CERCLA include the current and former owners or operators, and persons who generated the hazardous substances or were involved in transport, treatment, or disposal of them at the site.

Based on data we received during our investigation concerning the hazardous substances at this site, EPA has information that indicates that you and/or your firm may be a responsible party. Before the government undertakes necessary action at the site, we would like to know if you will voluntarily perform the work required to abate any release or threatened release of hazardous substances, pollutants, and contaminants from the site. You should be aware that under Section 107(a) of CERCLA, where the Agency uses public funds to achieve cleanup of the hazardous substance, you may be liable for all costs associated with the removal or remedial action and all other necessary costs incurred in cleaning up the site, including investigation, planning and enforcement.

EPA is currently planning to conduct the following studies at the above site:

1. Further investigations to identify the local hydrogeological characteristics, and define the nature and extent of soil, air, and surface water contamination at the site, and
2. Feasibility studies to evaluate possible remedial actions to remove or contain hazardous substances, pollutants, and contaminants at the site.

In addition to the above studies, other corrective measures may be necessary to protect public health, welfare or the environment. These corrective measures may include, but are not necessarily limited to:

1. Implementation of initial remedial measures, e.g., securing the site to prevent contact with any potentially hazardous or toxic materials at the site and/or removal of contaminated material from the surface;
2. Designing and implementing the EPA-approved remedial option for both contaminated groundwater and soil;
3. Providing any monitoring and maintenance necessary after remedial measures have been completed.

EPA will consider an immediate offer from you to conduct the remedial investigations and feasibility studies (RI/FS) described above. You should notify EPA, in writing within 10 calendar days from the receipt of this letter, of your willingness to conduct or participate with other potentially responsible parties in the RI/FS. Otherwise, EPA will assume that you decline any involvement in the RI/FS and will proceed with the appropriate studies and any initial remedial measures needed to secure the site. EPA may later invite you to undertake the design and implementation of the selected remedy upon the Agency's completion of the RI/FS.

Your letter should indicate the appropriate name, address, and telephone number for further contact with you. If you are already involved in discussions with state or local authorities, engaged in voluntary action, or involved in a lawsuit regarding this site, you should continue such activities as you see fit; you should not interpret this letter to advise or direct you to restrict or discontinue any such activities. You should report, however, the status of those discussions or that action in your letter. Please provide a copy of your letter to any other parties involved in those discussions. Also, please indicate if you or your representative plans to attend a meeting between EPA and the potentially responsible parties, to be held in Chicago on June 3, 1986 to discuss this matter and to provide you with more detailed specifications as to the required work.

Your letter should be sent to:

Janet Haff
U.S. EPA - Region V
Waste Management Division
Hazardous Enforcement Branch
CERCLA Enforcement Section
230 South Dearborn Street
Chicago, Illinois 60604

Ms. Haff can also be reached by telephone at (312) 886-6541.

EPA would like to encourage good faith negotiations between you and the Agency and among you and other parties potentially responsible for the site. So that you may schedule meaningful discussions with other potentially responsible parties regarding cleanup efforts, and quickly organize yourselves into a single representative body to facilitate negotiations with the Agency, we are enclosing a list of other potentially responsible parties which have been identified with the above-referenced site.

In addition, EPA is seeking to obtain certain other information from you pursuant to its authority under Section 104 of CERCLA, 42 U.S.C. §9604, and Section 3007 of the Resource Conservation and Recovery Act (RCRA) as amended, 42 U.S.C. §6927, for the purpose of enforcing CERCLA and RCRA and for the purpose of assisting in determining the need for response to a release of hazardous substance(s) under CERCLA. The Administrator of the EPA has the authority to require any person who generates, stores, treats, transports, disposes, arranges for the disposal of, or otherwise handles hazardous wastes and hazardous substances, as those terms are defined in Section 1004(5) of RCRA, 42 U.S.C. §6903(5) and Section 101(14) of CERCLA, 42 U.S.C. §9601(14), to furnish EPA with information related to such activities. Pursuant to these statutory provisions, you are hereby requested to submit the following information (see definitions below).

1. Copies of any and all information regarding the City of Bronson's involvement with the ownership, operation and maintenance of the waste disposal lagoons and connecting sewer systems. Such information shall include, but not be limited to, deeds, contracts, subcontracts, leases, subleases, purchase agreements, partnership agreements, indemnification agreements, and any other correspondence that pertains to the above.
2. Copies of any and all information regarding construction of the waste disposal lagoons and connecting sewer systems. Such information shall include, but not be limited to, maps, blueprints, or other documents which indicate construction specifications of the waste disposal lagoons and connecting sewer systems, construction schedules including starting and completion dates, participants in the construction and/or financing other than the City of Bronson, and other information or correspondence that pertains to the above.

3. A complete listing of the names and addresses of all companies using the waste disposal lagoons and/or County Drain Number 30 for waste disposal, and the years during which each company contributed wastes to the waste disposal lagoons and/or directly to County Drain Number 30. If the current address is not available, the most recent address or address at the time of waste disposal shall be provided.
4. A detailed description of the generic, common and/or trade name, the chemical composition and the character (i.e. liquid, solid, sludge) of the waste materials discharged to the waste disposal lagoons and/or directly to County Drain Number 30.
5. Copies of any and all information relating to the total waste volume, in gallons for liquids and sludges, and in cubic yards for solids, discharged to the waste disposal lagoons and/or directly to County Drain Number 30, and volumes contributed by each company.
6. Copies of all records, including analytical results, and material safety data sheets which indicate the chemical composition and/or chemical character of the waste materials discharged by each company to the waste disposal lagoons and/or directly to County Drain Number 30.
7. Copies of any and all information that documents spills, lagoon overflows, connecting sewer line breaks or leaks, release of waste materials to County Drain Number 30 and/or any direct release of waste materials, contaminants or pollutants to the environment via waste disposal activities in and around the waste disposal lagoons.
8. A list and description of any and all liability insurance coverage that is and was carried by the City of Bronson, including but not limited to any self-insurance provisions, which relate to waste materials or hazardous substances and the above-referenced site. Include copies of all such insurance policies.

For purposes of the information requested, the North Bronson Industrial Area site includes two distinct waste disposal lagoon systems. The first set of lagoons, or "old" lagoons, were constructed in about 1939 and are located northwest of the City of Bronson's wastewater treatment plant, south of County Drain Number 30, and west of the Ruggles Street extension in the NE 1/4, Section 11, Township 7 South, Range 8 West. The second set of lagoons, or "new" lagoons, were constructed in 1949 and are located east of Matteson Street approximately 1500 feet east of the "old" lagoons in the NW 1/4, NW 1/4, Section 12, Township 7 South, Range 8 West. The Bronson Plating Company is located directly southeast of the "new" lagoons. These lagoons are collectively referred to as the "waste disposal lagoons." In your reply, distinguish between the two waste disposal lagoon systems and provide the necessary documentation to support the above.

County Drain Number 30 is located directly north of both waste disposal lagoon systems. It flows westerly discharging into Swan Creek approximately 1.5 miles downstream from the "old" waste disposal lagoons. The attached map illustrates the approximate locations of the "old" waste disposal lagoons, the "new" waste disposal lagoons, and County Drain Number 30.

To assist you in answering this request, the information sought pertains to any and all information in your possession, custody or control relating to the operation of the above-referenced site and to the transportation, storage, and/or disposal of hazardous substances or the generation of hazardous substances which were ultimately disposed of or offered for disposal at the site. The relevant time period for this request is from 1935 through the present.

For purpose of this information request, "shipping documents" shall mean all contracts, agreements, purchase orders, requisitions, pick-up or delivery tickets, customs forms, freight bills, shipping memoranda, order forms, weight tickets, work orders, manifests, shipping orders, packing slips, bills of lading, invoices, bills and any other similar documents that evidence discrete transactions involving shipment, or the arrangement for shipment, of waste materials to, through, or from, the above-referenced site. "Waste materials" shall mean hazardous substances, solid wastes and hazardous wastes, and other materials which may or may not contain pollutants or contaminants, and shall include reclaimed and off-specification materials of any kind.

The information sought herein must be sent to EPA within thirty (30) calendar days of your receipt of this letter. Under Section 3008 of RCRA, 42 U.S.C. §6928, failure to comply with this letter may result in an order requiring compliance or in a civil action for appropriate relief. These provisions also provide for civil penalties. Failure to comply with this request under Section 104 CERCLA, 42 U.S.C. §9604 may result in a civil enforcement action being brought against you by EPA.

The information requested herein must be provided notwithstanding its possible characterization as confidential information or trade secrets. You may request, however, that any such information be handled as confidential business information. A request for confidential treatment must be made when the information is provided, since any information not so identified will not be accorded this protection by the EPA. Information claimed as confidential will be handled in accordance with the provisions of 40 C.F.R. Part 2.

The written statements submitted pursuant to this request must be notarized and submitted under an authorized signature certifying that all information contained therein is true and accurate to the best of the signatory's knowledge and belief. Moreover, any documents submitted to Region V pursuant to this information request should be certified as true and authentic to the best of the signatory's knowledge and belief. Should the signatory find, at any time after the submittal of the requested information, that any portion of the submitted information is false, the

signatory should so notify EPA. If any answer certified as true should be found to be untrue, the signatory can and may be prosecuted pursuant to 18 U.S.C. 1001.

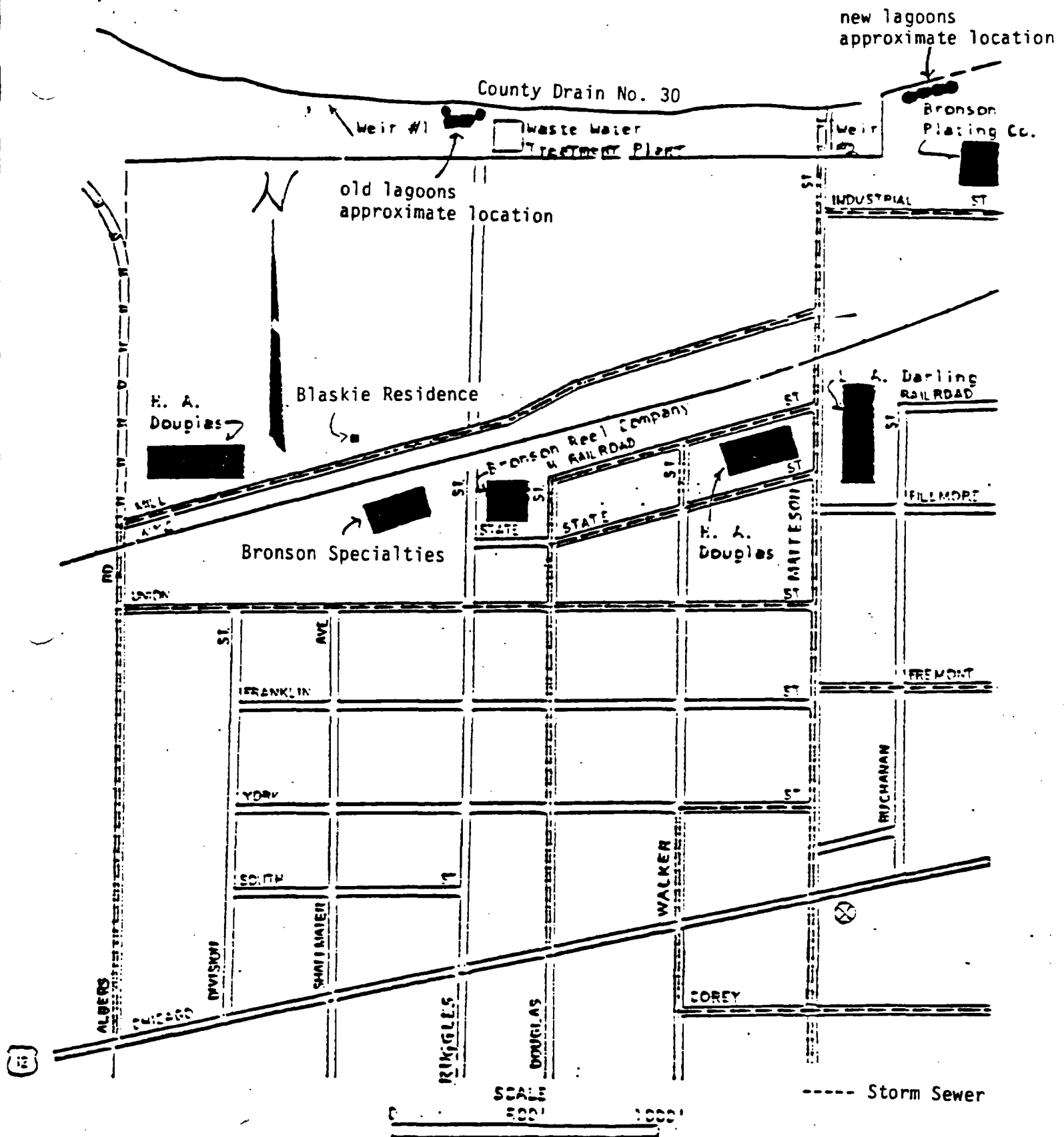
Your reply to the request for information under Section 104 of CERCLA and Section 3007 of RCRA should be considered separate and distinct from that relating to participation in response activities at the site. It should also be sent to the address listed above.

If you need further information regarding our information request, you may contact Mr. Michael Gifford of our Hazardous Waste Enforcement Branch at (312) 886-7257. If you have any legal questions, contact Mr. T. Leverett Nelson, Assistant Regional Counsel at (312) 886-6852.

Due to the nature of the problem at this site and the attendant legal ramifications, EPA strongly encourages you to submit a written response within the time frame specified herein. We hope that you will give this matter your immediate attention.

Sincerely yours,


Basil G. Constantelos, Director
Waste Management Division



POTENTIALLY RESPONSIBLE PARTIES
NORTH BRONSON INDUSTRIAL AREA

Marmon Group, Inc.
39 South LaSalle Street
Chicago, Illinois 60603

Scott & Fetzer Company, Inc.
28800 Clemens Road
Westlake, Ohio 44145

Douglas Components Corporation
141 Railroad Street
Bronson, Michigan 49028

Bronson Specialities, Inc.
404 Union Street
Bronson, Michigan 49028

Bronson Precision Products, Inc.
505 North Douglas Street
Bronson, Michigan 49028

Bronson Products Company
304 North State Street
Bronson, Michigan 49028

Bronson Plastics, Inc.
404 Union Street
Bronson, Michigan 49028

Kuhlman Corporation
2565 North Maple Road
Troy, Michigan 48084

Bronson Plating Company, Inc.
135 Industrial Avenue
Bronson, Michigan 49028

City of Bronson
141 South Matteson Street
Bronson, Michigan 49028

SENDER: Complete items 1, 2, 3 and 4.

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

1. ☐ Show to whom, date and address of delivery.
2. ☐ Restricted Delivery.

Bronson, City of
 City of Bronson
 141 South Matteson Street
 Bronson, Michigan 49028

4. Type of Service:

☐ Registered
☐ Certified
☐ Express Mail

☐ Insured
☒ COD

Article Number

P235349821

**Always obtain signature of addressee or agent and
 DATE DELIVERED.**

5. Signature - Addressee

X David O'Rourke

6. Signature - Agent

X

7. Date of Delivery

4-24-86

8. Addressee's Address (Only if requested and fee paid)

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UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS



PENALTY FOR PRIVATE
USE, \$300

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

**RETURN
TO**



_____	United States	_____
_____	Environmental Protection Agency	_____
_____	Region V	_____
_____	230 South Dearborn Street	_____
_____	Chicago, Illinois 60604	_____

NORTH BRANSON SHE-12 JH